

CITY AND COUNTY OF HONOLULU
PLANNING COMMISSION

Meeting of the Planning Commission

DATE: Wednesday, September 8, 2021
TIME: 12 P.M.
PLACE: Remote Meeting and at Mission Memorial Auditorium, Mission Memorial Building, 550 South King Street, Honolulu, Hawaii

Pursuant to the Emergency Proclamation Related to the COVID-19 Response issued by Governor David Ige on August 5, 2021, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the September 8, 2021 meeting. The procedures have been modified to comply with Mayor Blangiardi's Emergency Order No. 2021-10, effective August 25, 2021 (Emergency Order). Commission members, City staff, attendees and the public is strongly encouraged to participate in the public hearing via the online meeting venue (details below).

AGENDA

I. CALL TO ORDER

II. ROLL CALL

III. CONTINUED PUBLIC HEARING

A public hearing notice for the following matter was published in the Honolulu Star-Advertiser on August 20, 2021. At the September 1, 2021 meeting, the Planning Commission kept the public hearing open and continued the public hearing to September 8, 2021 at 12:00 P.M. The Commission will take action on the agenda item after public hearing is closed.

Proposed Amendments to Chapter 21 (Land use Ordinance [LUO]), Revised Ordinances of Honolulu (ROH) 1990, as Amended, Relating to Transient Accommodations

The Department of Planning and Permitting's (DPP's) proposal would amend specific sections of the ROH (Chapters 8 and 21) relating to transient vacation units (TVU), bed and breakfast (B&B) homes, and hotels as summarized below:

1. Chapter 8, Real Property Tax, ROH
 - B&B properties, including B&Bs with nonconforming use certificates, will be placed in the B&B Home tax category.
 - TVU properties, including TVUs with nonconforming use certificates, will be placed in the Hotel and Resort tax category.
2. Chapter 21, LUO, ROH
 - Administrative enforcement procedures have been updated.
 - Up to \$3,125,000.00 in real property taxes collected relating to TVUs and B&Bs will be deposited into a special account to be used by DPP for the enforcement of TVUs and B&Bs.

- Application, registration, renewal and revocation processes for B&Bs and TVUs have been updated.
- Amendments to the Master Use Table would eliminate B&Bs and TVUs as a permitted use in every land use category except for certain areas in the A-1 and A-2 apartment districts located in or near existing resorts.
- Amendments to the Master Use Table would allow hotels, condominium hotels and hotel units in the Apartment Precinct and Apartment Mixed Use Precinct of Waikiki.
- Development standards and definition for hotels have been updated.
- Development standards for B&Bs and TVUs have been updated.
- Definition of B&Bs and TVUs have been updated to a minimum duration of less than 180 consecutive days.
- Definition and requirements for advertisement have been updated.

The purpose of this Ordinance is to better protect the City's residential neighborhoods and housing stock from the negative impacts of STRs by providing a more comprehensive and controlled approach to the regulation of STRs within the City and creating additional sources of funding for the administration and enforcement of the City's B&B and transient vacation unit (TVU) laws.

The DPP believes that this Ordinance responds to the community needs that have shifted significantly under the pandemic. It takes into account the concerns of residential neighborhoods, as well as the visitor industry, and should result in more long-term housing stock being made available for residents by eliminating and prohibiting short-term rentals (STRs). Finally, it provides better enforcement tools to address illegal STRs and an independent source of revenue to support the necessary enforcement actions to rein in illegal STRs on Oahu.

Note: The DPP's draft Bill can be viewed and downloaded from <https://bit.ly/HNLSTRnews>

Executive Session

To consult with Corporation Counsel on questions and issues pertaining to the commission's powers, duties, privileges, immunities, and liabilities, in accordance with Planning Commission Rule 2-18(c) and HRS 92-5(a)(4).

IV. ADJOURNMENT

PUBLIC PARTICIPATION AND TESTIMONY

The public is encouraged to join the public hearing and offer testimony from a computer, smartphone or telephone as follows:

- **Join the public hearing from a computer: (Please mute your devices except to testify)**
<https://globalpage-prod.webex.com/join>
 Meeting Number: 123 096 9887
 Meeting Password: dpp1

- **Join the public hearing from the WebEx smartphone app: (Please mute your devices except to testify)**
Meeting Number: 123 096 9887
Meeting Password: dpp1
- **Join the public hearing from a telephone (audio only): (Please mute your devices except to testify. Press *6 to unmute and remote)**
408-418-9388 (USA Toll)
Access code: 123 096 9887
Numeric meeting password: 3771
- **Oral testimony via phone or Webex:** To provide oral testimony during the online meeting via phone or Webex, you must register in advance by 4:30 p.m. on Monday, September 6, 2021, by emailing your name, phone number, and subject matter to info@honoluludpp.org
- **In-person attendance:** The City is exercising a good faith effort to provide this option only to members of the public who are unable to attend the meeting via phone or Webex. All in-person attendees and testifiers must wear a mask while on the Mission Memorial premises and must maintain six feet of distance between themselves and others or they will not be allowed in the Auditorium. In accordance to [Mayor's Emergency Order 2021-10](#), effective August 25 2021. (See Mayor's Emergency Order 2021-10. Note: Subject to change.)

Oral testimony will be limited to a maximum of three (3) minutes. The Commission shall not be contacted by the Chat function, and the reaction function will also be disabled once the meeting starts.

Attendance at the public hearing is not necessary to submit written testimony. Written testimony may be submitted by one of the following options:

1) Email: info@honoluludpp.org, 2) Fax: 768-6743, or 3) Mail: Planning Commission, 650 South King Street, 7th Floor, Honolulu, Hawaii 96813, and must be received by 4:30 p.m., Monday September 6, 2021.

To reduce the risk of COVID-19 transmission, **written testimony will not be accepted in person**, except as part of oral testimony. Written testimony must be emailed, faxed, or mailed in advance, as explained above.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("*board packet*" under HRS Section 92-7.5) are available for public inspection at the office of the Department of Planning and Permitting (DPP), 7th Floor, Frank Fasi Municipal Building, 650 South King Street, Honolulu, Hawaii 96813; contacting the Planning Commission, telephone 768-8007; or DPP's website calendar at <http://www.honoluludpp.org/calendar.aspx>.

If you require special assistance, auxiliary aid and/or service to participate in this event (i.e., sign language interpreter, interpreter for language other than English, or wheelchair accessibility), please call 768-8000, or email your request to info@honoluludpp.org at least three business days prior to the event.